

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Examiner: Not Yet Assigned
John Harvey, III, et. al.)
•) Art Unit: Not Yet Assigned
)
Serial No. 10/765,325)
)
Filed: January 26, 2004)
)
For: RETRIEVAL OF SERVICES)
BY ATTRIBUTE)
)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Prior to the examination of the above reference application, the Applicant respectfully request the Examiner to enter the following amendments and to consider the following remarks.

04/14/2004 WABDELR1 00000107 10765325

85 EE:1585

430.00 OF

FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

				TOTAL	AMOUNT OF P	PAYMENT (\$)	10	060.00			
Con	Complete if Known:										
	lication No		0/765,32	5							
Filin	g Date1	/26/04									
Firs	t Named In	ventor_	Ha	rvey							
Exa	miner Name	e		t yet assigned							
	Jnit			t yet assigned							
Atto	rney Docke	t No	04	860.P1637C2							
_	Арр	licant cla	ims sm	all entity stat	us. See 37 CF	R 1.27.		· · · · · · · · · · · · · · · · · · ·			
ME.	METHOD OF PAYMENT (check all that apply)										
				it Card	Money O	rder	Ot	her		None	
<u> </u>	C Depos	sit Accour Deposit		Number :	02-2666						
		Deposit /									
X	The D				following wit	h respect to	the ab	ove-identif	ied [Deposit Acc	count:
1				ndicated belo		•				•	
1	X	Credit a	ny over	payments.							
					during the pen						
	<u> X</u>				hat requires a p						
					petition for exte			required fee	es sh	ould be char	ged.
		Charge	tee(s) ir	idicated beio	w <u>except for t</u>	<u>ne tiling tee</u> .					
											
FEE	CALCUL	ATION									
١			_								
1. <u>E</u>	BASIC FIL	ING FEE									
		0									
	<u>re Entity</u>	Small E									
Fee Cod	Fee e (\$)	Fee Code	Fee (\$)	Fee Descr	intion					Fee Paid	
1001	\'.	2001	(<i>\$)</i> 385		i <u>ption</u> lication filing 1	ioo				ree Palu	
1002		2002	170		plication filing						
1003		2003	265	Plant filing							
1004		2004	385	Reissue fil							
1005	160	2005	80		I application f	iling fee					
						_					
							SUB	TOTAL (1)	\$	0	
<u> </u>											-
2. <u>E</u>	XTRA CL	AIM FEE	SFOR	UTILITY AN	ID REISSUE						
					Futus Olsims			Fee from		F D-!-	
					Extra Claims			below		Fee Paid	
Tota	al Claims	61		- 26** =	35		X	18.00	=	630.00	
Inde	ependent	Claims	8	- 3** =	5		X	86.00		430.00	
	iple Depe								=		
**Or number previously paid, if greater; For Reissues, see below.											
	e Entity	Small E		,		,					
Fee	Fee	Fee	Fee								
Code	e (\$)	Code	(\$)	Fee Descrip	tion						
1202		2202	` 9	Claims in ex							
1201	86	2201	43	Independen	t claims in exc	cess of 3					
1203	290	2203	145		endent claim,						
1204		2204	43		idependent cla						
1205	18	2205	9	**Reissue c	laims in exces	s of 20 and o	over o	riginal pate	nt		
							SU	BTOTAL (2) \$	1060.00	

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large	Entity	Small_E	ntity					
Fee	Fee	Fee	Fee					
Code	(\$)	Code	(\$)	Fee Description	Fee Paid			
1051	130	2051	65	Surcharge - late filing fee or oath				
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet				
1053	130	1053	130	Non-English specification				
1812	2,520	1812	2,520	For filing a request for ex parte reexamination				
1813	8,800	1813	8,800	Request for inter parties reexamination				
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action				
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action				
1251	110	2251	55	Extension for reply within first month				
1252	420	2252	210	Extension for reply within second month				
1253	950	2253	475	Extension for reply within third month				
1254	1,480	2254	740	Extension for reply within fourth month				
1255	2,010	2255	1,005	Extension for reply within fifth month				
1401	330	2401	165	Notice of Appeal				
1402	330	2402	165	Filing a brief in support of an appeal				
1403	290	2403	145	Request for oral hearing				
1451	1,510	1451	1,510	Petition to institute a public use proceeding				
1452	110	2452	55	Petition to revive – unavoidable				
1453	1,330	2453	665	Petition to revive - unintentional				
1501	1,330	2501	665	Utility issue fee (or reissue)				
1502	480	2502	240	Design issue fee				
1503	640	2503	320	Plant issue fee				
1460	130	1460	130	Petitions to the Commissioner				
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)				
1806	180	1806	180	Submission of Information Disclosure Stmt				
8021	40	8021	40					
1000	770	0000	205	property (times number of properties)				
1809	770	2809	385	For filing a submission after final rejection				
1814	110	2814	55	(see 37 CFR 1.129(a)) Statutory Disclaimer				
1810	770	2810	385	For each additional invention to be examined				
1810	770	2010	303	(see 37 CFR 1.129(b))				
1801	770	2801	385	Request for Continued Examination (RCE)				
1802	900	1802	900	Request for expedited examination (RCE)				
1002	300	1002	300	application				
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.				
1505	300	1505	300	Publication fee for republication				
1803	130	1803	130	Request for voluntary publication or republication				
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)				
1454		1454		Acceptance of unintentionally delayed claim for priority				
			•					
Other f	ee (specify))						
				SUBTOTAL (3) \$	0			
	*Reduced by Basic Filing Fee Paid							
SUBMITTED BY:								
Typed or Printed Name: Eric S. Replogle								
Signature: Date: 4/9/04								
Reg. Number: <u>52,161</u> Telephone Number: <u>408-720-8300</u>								

1.5 m 3		
TO TRAILE TO	AMENDMENT TRANSMITTAL	<u>PATENT</u>
Applica	ation No.: <u>10/765,325</u>	
	Date: 1/26/04amed Inventor Harvey, III.	
	ner's Name: Not yet assigned	
	t: Not yet assigned	
Attorne	y Docket No.: <u>04860.P1637C2</u>	
	An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s	•
<u> </u>	_ , , , , , , , , , , , , , , , , , , ,	02-2666.
<u> </u>	Applicant(s) hereby request and authorize the U.S. Patent and Trademark O future reply that requires a petition for extension of time as incorporating a appropriate length of time and (2) charge all required fees, including exten CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account I	petition for extension of time for the asion of time fees and fees under 37
	Applicant(s) claim small entity status (37 CFR 1.27).	
ATTAC	CHMENTS	
X_	Preliminary Amendment	
	Amendment/Response with respect to Office Action	
	Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider fi	iling a Notice of Appeal)
	Notice of Appeal	ining a riolide of rippeary
	RCE (Request for Continued Examination)	
	Supplemental Declaration	
	• •	a proposity of record)
<u> </u>	Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be	e properly of record)
I	Information Disclosure Statement (IDS)	
	Copies of IDS citations	
	Petition for Extension of Time	
	Fee Transmittal Document (that includes a fee calculation based on the type at	nd number of claims)
	Cross-Reference to Related Application(s)	
	Certified Copy of Priority Document	
	Other:	
	Other:	
	Check(s)	
<u> </u>	Postcard (Return Receipt)	
SUBMIT	TED BY:	
1	V COVOLOGE TAVI OR & ZAFMANILL R	
	Y SOKOLOFF TAYLOR & ZAFMAN LLP	
	OR PRINTED NAME:Eric S. Beplogle	
SIGNAT	TURE: Color Replant	•
REG. NO	O.: <u>52,161</u>	
DATE:		
ADDRES	SS: 12400 Wilshire Boulevard, Seventh Floor	
	Los Angeles, California 90025	
TELEDI		
TELEFI	IONE NO.: (408) 720-8300	
an envel	CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applic certify that this correspondence is being deposited with the United States Postal Service a lope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 2231 vril 9, 2004	s first class mail with sufficient postage in
VIII	Date of Deposit	
Cheri Cli	inkenbeard //	
(V C)	Name of Person Mailing Correspondence April 9, 2004	
	Signature April 9, 2004	Date
		
Express	Mail Label No. (if applicable):	